

UNITED STATES DISTRICT COURT:

EASTERN

COUNTY OF DISTRICT : ~~STATE~~ OF NEW YORKMARCOS MEJIAS On Behalf of Himself and
Others Similarly Situated,

Plaintiff(s)

against

GULF2BAY SOFTWASH CORP., et al.,

Defendant(s)

Case No. CV-19-5286

Date Filed 09/17/19

STATE OF NEW YORK, COUNTY OF SUFFOLK SS:

PETER J. GUTHY, being duly sworn, deposes and says: that deponent is not a party to

this action, is over 18 years of age and resides in New York State.

That on October 10, 2019 at 3:50 P.M at 129 Fifth Avenue, Bay Shore, New York (1st. Floor)

deponent served the within summons in a civil action and complaint and consent to joinder

upon David F. Jarret, in his individual capacity, one of the defendant(s) therein named

which summons indicated on it's face the index number and date filed.

INDIVIDUAL by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said
1. ☐ defendant therein.CORPORATION a domestic corporation by delivering a true copy of each to
2. ☐ personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant.SUITABLE by delivering thereat a true copy of each to Amy "Smith", co-worker, who refused to divulge her/
AGE PERSON a person of suitable age and discretion. Said premises is defendant's—actual place of business—~~dwelling house—usual place of~~
3. ☒ ~~store~~—within the state.AFFIXING TO by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling house—usual
DOOR place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion,
4. ☐ thererat, having called thereon.and confirming residence of defendant with a neighbor,
at who also denied
knowledge of defendant's place of employment or work hours.OTHER by delivering a true copy of each to said defendant by leaving thereat personally with
5. ☐ who is duly authorized to accept thereof.MAILING TO Deponent enclosed a copy of same in postpaid envelope properly addressed to defendant at defendant's last known residence at
RESIDENCE and deposited said
USE WITH 3 OR 4 envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
☐MAILING TO On October 16, 2019
BUSINESS Deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of
business, at 129 Fifth Avenue, Bay Shore, NY 11706 in an official depositoryUSE WITH 3 OR 4 under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and
☒ Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or
concerned an action against the defendant.DESCRIPTION Deponent describes person served as aforesaid to the best of deponent's ability at the time and circumstances of services as follows:
☒ Sex female Color white Hair black Appox. Age 40 Hgt 5-3 Wgt 125 OtherMILITARY I asked the person spoken to, Amy "Smith",
SERVICE whether defendant was in active military service of the United States or of the State of New York in any capacity and received a
☒ negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my
belief are the conversations and observations above narrated.Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as the term
is defined in either the State or in the Federal statutes.

Sworn before me on October 16, 2019

PETER J. GUTHY

Donna Kempner

DONNA KEMPNER
Notary Public, State of New York
No. 01KE5064837
Qualified in Suffolk County
Commission Expires August '26, 2022

UNITED STATES DISTRICT COURT:

EASTERN ~~SOUTHERN~~
COUNTY OF DISTRICT : STATE OF NEW YORKMARCOS MEJIAS On Behalf of Himself and
Others Similarly Situated,

Plaintiff(s)

against
GULF2BAY SOFTWASH CORP., et al.,

Defendant(s)

Case No. CV-19 5286

Date Filed 09/17/19

STATE OF NEW YORK, COUNTY OF SUFFOLK SS:

PETER J. GUTHY, being duly sworn, deposes and says: that deponent is not a party to

this action, is over 18 years of age and resides in New York State.

That on October 10, 2019 at 3:50 P.M at 129 Fifth Avenue, Bay Shore, New York (1st. Floor)

deponent served the within summons in a civil action and complaint and consent to joinder

upon Gulf2Bay Softwash Corp., one of the defendant(s) therein named

which summons indicated on it's face the index number and date filed.

- INDIVIDUAL 1. ☐ by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.
- CORPORATION 2. ☒ a domestic corporation by delivering a true copy of each to Amy "Smith", Managing Agent, who refused / personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant.
- SUITABLE AGE PERSON 3. ☐ by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling house—usual place of abode—within the state.
- AFFIXING TO DOOR 4. ☐ by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling house—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion, thererat, having called thereon.
- OTHER 5. ☐ by delivering a true copy of each to said defendant by leaving thereat personally with _____ a neighbor, who also denied
- MAILING TO RESIDENCE USE WITH 3 OR 4 ☐ Deponent enclosed a copy of same in postpaid envelope properly addressed to defendant at defendant's last known residence at _____ and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
- MAILING TO BUSINESS USE WITH 3 OR 4 ☐ Deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of business, at _____ in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.
- DESCRIPTION ☒ Deponent describes person served as aforesaid to the best of deponent's ability at the time and circumstances of services as follows:
Sex female Color white Hair black Appox. Age 40 Hgt. 5-3 Wgt. 125 Other _____
- MILITARY SERVICE ☐ I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity and received a negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as the term is defined in either the State or in the Federal statutes.

Sworn before me on October 16, 2019

DONNA KEMPNER
Notary Public, State of New York
No. 01KE5064837Qualified in Suffolk County
Commission Expires August '26, 2022
PETER J. GUTHY

UNITED STATES DISTRICT COURT:

EASTERN
COUNTY OF DISTRICT STATE OF NEW YORKMARCOS MEJIAS On Behalf of Himself and
Others Similarly Situated,

Plaintiff(s)

against

GULF2BAY SOFTWASH CORP., et al.,

Defendant(s)

Case No. CV-19 5286

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STATE OF NEW YORK, COUNTY OF SUFFOLK SS:

PETER J. GUTHY, being duly sworn, deposes and says: that deponent is not a party to

this action, is over 18 years of age and resides in New York State.

That on October 10, 2019 at 3:50 P.M at 129 Fifth Avenue, Bay Shore, New York (1st. Floor)

deponent served the within summons in a civil action and complaint and consent to joinder

upon North American Chimney & Gutter Corp., one of the defendant(s) therein named

which summons indicated on it's face the index number and date filed.

INDIVIDUAL by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said
1. ☐ defendant therein.

to divulge true last name,

CORPORATION a domestic corporation by delivering a true copy of each to Amy "Smith", Managing Agent, who refused /
2. ☒ personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant.SUITABLE by delivering thereat a true copy of each to
AGE PERSON a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling house—usual place of
3. ☐ abode—within the state.AFFIXING TO by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling house—usual
DOOR place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion,
4. ☐ thererat, having called thereon.and confirming residence of defendant with
at
knowledge of defendant's place of employment or work hours.a neighbor,
who also deniedOTHER by delivering a true copy of each to said defendant by leaving thereat personally with
5. ☐ who is duly authorized to accept thereof.MAILING TO Deponent enclosed a copy of same in postpaid envelope properly addressed to defendant at defendant's last known residence at
RESIDENCE and deposited said
USE WITH 3 OR 4 envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
☐MAILING TO Deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of
BUSINESS business, at
in an official depository
USE WITH 3 OR 4 under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and
☐ Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or
concerned an action against the defendant.

DESCRIPTION Deponent describes person served as aforesaid to the best of deponent's ability at the time and circumstances of services as follows:

XX

Sex female Color white Hair black Appox. Age 40 Hgt. 5-3 Wgt. 125 Other

MILITARY
SERVICE☐I asked the person spoken to
whether defendant was in active military service of the United States or of the State of New York in any capacity and received a
negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my
belief are the conversations and observations above narrated.Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as the term
is defined in either the State or in the Federal statutes.

Sworn before me on October 16, 2019

PETER J. GUTHY

DONNA KEMPNER
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